



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

OCTOBER 29, 2018

9:30

Calendar No. 18-220:

**12706 Signet Avenue/
Waste Collection**

Ward 4

Kenneth L. Johnson

Foster Stringer, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision of the hearing examiner in Parking Violations Bureau on October 3, 2018 concerning the City of Cleveland Waste Collection issuance of Civil Infraction Ticket Number WC40012510 issued August 14, 2018 regarding failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances. (Filed October 3, 2018)

9:30

Calendar No. 18-221:

3629 Rocky River Drive

Ward 17

Martin J. Keane

15 Notices

Brian Meisterics, owner, propose to change use from two dwelling units to four dwelling units in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.02 which states that multi-family use (4 dwelling units) is not a permitted use in the One family District; first permitted in Multi-Family District per Section 337.08.
2. Section 359.01 which states that an expansion of a nonconforming use requires BZA Approval. (Filed October 3, 2018)

9:30

Calendar No. 18-222:

4757 Lorain Ave.

Ward 3

Kerry McCormack

15 Notices

PM Foundation Inc., owner, proposes to construct a new health clinic in a C2 Local Retail Business District and a Pedestrian Retail Overlay District (PRO). The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 343.23(e)(2)(C) which states that CPC approval is require to establish an institutional use in PRO District.
2. Section 343.23(g)(1) which states that a maximum front setback of 5' is allowed and 10'11" is proposed.
3. Section 349.04(d) which states that Required 163 off –street parking spaces are required and 95 spaces proposed.
4. Section 349.15 which states that 9 bicycle parking spaces required and 7 spaces are proposed. (Filed October 5, 2018)

9:30

Calendar No. 18-224:

**4211 East 146 St /
Waste Collection**

Ward 1

Joseph T. Jones

AC Brown's Family Inc., owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision of the hearing examiner in Parking Violations Bureau on October 10, 2018 concerning the City of Cleveland Waste Collection issuance of Civil Infraction Ticket Number WC40039752 issued August 27, 2018 regarding failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances. (Filed October 10, 2018)

POSTPONED FROM SEPTEMBER 10, 2018

9:30

Calendar No. 18-188:

**Appeal from decision of Mayor's
Office of Capital Projects to uphold
the denial of Zone 3 Permit
Application.**

Ward 3

Kerry McCormack

Christine Hill appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) and Section 675 of the Cleveland Codified Ordinances from the decision of the Director of the Mayor's Office of Capital Projects on August 8, 2018 to uphold the denial of the Zone 3 Permit Application for the 2018-2019 permitting period by the Administrative Officer of the Mayor's Office of Capital Projects (Filed August 23, 2018-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE CITY LAW DEPARTMENT TO ALLOW TIME TO COMPILE AND SUBMIT DISCOVERY.*

POSTPONED FROM OCTOBER 8, 2018

9:30

Calendar No. 18-204:

1856 West 50 Street

Ward 15

Matt Zone

9 Notices

Stacey Smiley, owner, proposes to erect a 20' x 22' two story frame detached gable garage with a 4' x 6' open wooden staircase in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

- 1.) Section 337.23(a) which states that an accessory use in Residence District shall be not less than 10 feet from neighbor house on adjacent lot and the appellant is proposing 2'.
- 2.) Section 337.23(A) which states that an accessory garage shall not exceed 650 square feet and the appellant is proposing 904 square feet.
- 3.) Section 353.05 which states that in a Residence District an accessory building shall not exceed 15 feet in height and the appellant is proposing 17.96'. (September 13, 2018-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.*

POSTPONED FROM OCTOBER 15, 2018

9:30

Calendar No. 18-208:

691 E. 165 Street

Ward 8

Michael D. Polensek

18 Notices

Proterra, Inc., owner, proposes to use lot as “temporary storage material handling” in a B3 General Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1.) Section 349.04(j) which states that open yard storage use requires parking in the amount of one space for each employee plus space equal to 15% of the gross lot area. Parking area in the amount of one space per employee plus 43,134 square foot parking area is required; approximately 2,500 square foot parking area that does not meet paving requirements of Section 349.07 is provided.
- 2.) Section 349.07(a) which states that parking, driveways, and vehicle maneuvering areas must be surfaced with concrete, asphaltic concrete, or asphalt or other surfacing materials approved by the Director of Building and Housing. Asphalt grindings surfacing and unpaved roadways are proposed.
- 3.) Section 345.04(a)(3) which states that the open yard storage of used building material (broken used concrete) is permitted only if the lot upon which the storage use occurs is located no closer than 500 feet to a residence district. Lot upon which proposed use will occur abuts a residence district to the west. (Filed September 18, 2018-NO TESTIMONY)
FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.